

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ARTURO TORRES-PEREZ,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

Case No. 1:15-cv-01870-SKO HC

ORDER TRANSFERRING THIS CASE TO
THE U.S. DISTRICT COURT FOR THE
CENTRAL DISTRICT OF CALIFORNIA

Petitioner, a federal prisoner detained at the United States Penitentiary at Adelanto, California, proceeds with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. Petitioner seeks a recalculation of his sentence with credit for time served in state custody while detained by Immigration and Customs Enforcement authorities.

A habeas action is subject to jurisdictional and statutory limitations. *See Braden v. 30th Judicial Circuit Court of Kentucky*, 410 U.S. 484 (1973). A state or federal prisoner seeking to challenge his present physical custody within the United States must file the petition in the district of confinement. *Rumsfield v. Padilla*, 542 U.S. 426, 443 (2004). The United States Penitentiary at Adelanto, California, is located within the Central District of California.

Accordingly, the Court hereby ORDERS that this case be TRANSFERRED to the United States District Court for the Central District of California.

IT IS SO ORDERED.

Dated: **December 17, 2015**

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE